AF[JAW]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Teradata Docket No. 10954.10

Application of:

Kim Nguyen-Hargett et al.	Group Art Unit: 2165
Serial No. 10/735,952	Examiner: Jacques Veillard
Filed: December 15, 2003	

For: METHOD FOR DEVELOPING DATA WAREHOUSE LOGICAL DATA MODELS USING SHARED SUBJECT AREAS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing is an Appeal Brief to the Final Rejection dated January 18, 2007.

☒ Please charge Deposit Account No. 50 4370 for the Appeal Brief fee or any other fees associated with the filing of said Appeal Brief.

☒ Please charge any additional fees to the account of Teradata Corporation, Deposit Account No. 50 4370.

Respectfully submitted,
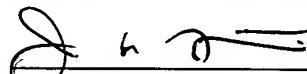
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CERTIFICATION OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/17/07

By: _Michelle Boyce_
Name: _Michelle George_

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P.O. Box 1450
Alexandria, VA 22313-1450

BRIEF ON APPEAL

Sir:

This is an Appeal Brief in furtherance of the Notice of Appeal filed on July 18, 2007. In light of this Brief, Applicant asks the Board of Patent Appeals and Interferences to reconsider this application.

CERTIFICATION OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on _10/17/07_.

By: _____
Name: _Michelle George_

(I) REAL PARTY IN INTEREST

The present application is assigned to NCR Corporation.

(II) RELATED APPEALS AND INTERFERENCES

There are currently no known active appeals or interferences related to the present application.

(III) STATUS OF CLAIMS

The above-identified patent application was filed on December 15, 2003 with original claims 1 through 10. Claims 1 through 10 remain active and stand rejected. The rejections of claims 1 through 10 are being appealed.

Copies of the claims in their current form are provided in the Claims Appendix (section VIII) of this Appeal Brief.

(IV) STATUS OF AMENDMENTS

The U.S. Patent and Trademark Office issued a Final Official Action in the prosecution of the present application on January 18, 2007. In response to this Final Official Action and an Advisory Action dated June 18, 2007, Applicant on July 18, 2007 submitted:

(1) a Notice of Appeal on July 18, 2007 concerning the final rejection of claims 1 through 10 under 35 U.S.C. §102(b) as being anticipated by "NCR E-business Teradata @ctive Warehouse 2.0 Installation and Customization Guide," dated June 2000; and

(2) a Response including Terminal Disclaimers to overcome the obvious-type double patenting rejections of the present application over claims 1-11 of U.S. Patent Application No. 09/838,101; claims 1-32 of U.S. Patent Application No. 09/921,566; claims 1-14 of U.S. Patent Application No. 09/990,539; claims 1-

13 of U.S. Patent Application No. 10/017,146; claims 1-8 of U.S. Patent

Application No. 10/027,967; and claims 1-19 of U.S. Patent Application No.

10/190,099.

An Advisory Action dated October 11, 2007 has been received approving

the Terminal Disclaimers filed on July 18, 2007, and removing the double

patenting rejection contained in the Final Official Action.

(V) SUMMARY OF CLAIMED SUBJECT MATTER

<u>Claim 1</u>

Claim 1 recites a method for constructing a data warehouse for a customer

within a specific industry, said method comprising the steps of:

selecting at least one shared subject area from a plurality of predefined

shared subject areas for inclusion in a logical data model for said data warehouse,

each one of said predefined shared subject areas comprising a plurality of entities

and relationships defining the manner in which basic information common to two

or more industries is stored within a database (*see, e.g.,* Application, pgs. 23

through 25, Figure 7, subject area group 713); and

populating said data warehouse with data in accordance with said logical

data model (*see, e.g.,* Application, pg. 11, lines 18 through 26.).

<u>Claim 6</u>

Claim 6 recites a data warehouse system for a customer within a specific

industry, comprising:

a relational database for holding information (*see, e.g.,* Application, pg. 6,

line 24 through pg. 7, line 2, Figure 1, CUSTOMER DATA 108; Application, pg.

7, line 26 through pg. 8, line 1, Figure 2, TERADATA SDW 201), said

information being organized within said relational database in accordance with a

logical data model (*see, e.g.,* Application, pg. 6, line 11 through pg. 7, line 2, Figure 1, LOGICAL DATA MODEL 102);

said logical data model including a plurality of subject areas, each one of said subject areas including entities and relationships defining the manner in which subsets of said information is stored and organized within said data warehouse (*see, e.g.,* Application, pgs. 11 through 22, Figures 5 and 6);

said plurality of subject areas including at least one shared subject area selected from a plurality of predefined shared subject areas, each one of said predefined shared subject area comprising a plurality of entities and relationships defining the manner in which basic information common to two or more industries is stored within a database (*see, e.g.,* Application, pgs. 23 through 25, Figure 6, subject area group 713)

(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Pursuant to the January 18, 2007 final action, claims 1 through 10 stand provisionally rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-11 of U.S. Patent Application No. 09/838,101; claims 1-32 of U.S. Patent Application No. 09/921,566; claims 1-14 of U.S. Patent Application No. 09/990,539; claims 1-13 of U.S. Patent Application No. 10/017,146; claims 1-8 of U.S. Patent Application No. 10/027,967; and claims 1-19 of U.S. Patent Application No. 10/190,099.

Claims 1 through 10 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by "NCR E-business Teradata @ctive Warehouse 2.0 Installation and Customization Guide," dated June 2000.

(VII) ARGUMENT

<u>Provisional Double-Patenting Rejection of Claims 1 through 10</u>

Applicant submitted a response on July 18, 2007 including Terminal Disclaimers to overcome the obvious-type double patenting rejections of the present application over claims 1-11 of U.S. Patent Application No. 09/838,101; claims 1-32 of U.S. Patent Application No. 09/921,566; claims 1-14 of U.S. Patent Application No. 09/990,539; claims 1-13 of U.S. Patent Application No. 10/017,146; claims 1-8 of U.S. Patent Application No. 10/027,967; and claims 1-19 of U.S. Patent Application No. 10/190,099.

An Advisory Action dated October 11, 2007 has been received approving the Terminal Disclaimers filed on July 18, 2007, and removing the double patenting rejection contained in the Final Official Action.

<u>Rejection of Claims 1 through 10 under 35 U.S.C. §102(b)</u>

The rejection of claims 1 through 10 under 35 U.S.C. §102(b) as being clearly anticipated by "NCR E-business Teradata @ctive Warehouse 2.0 Installation and Customization Guide," dated June 2000 is respectfully traversed. The cited reference, "NCR E-business Teradata @ctive Warehouse 2.0 Installation and Customization Guide," discloses a logical data model for the E-Business industry. The reference does not teach or suggest the method for constructing a data warehouse as recited in amended claims 1 through 5. More specifically, the cited reference does not disclose the step of "selecting at least one shared subject area from a plurality of predefined shared subject areas for inclusion in a logical data model for said data warehouse, each one of said predefined shared subject areas comprising a plurality of entities and relationships defining the manner in which *basic information common to two or more industries* is stored within a database" (emphasis added).

Similarly, the cited reference does not teach or suggest a data warehouse system constructed in the manner recited in amended claims 6 through 10. More specifically, the cited reference does not disclose the limitation "said plurality of subject areas including at least one shared subject area selected from a plurality of predefined shared subject areas, each one of said predefined shared subject area comprising a plurality of entities and relationships defining the manner in which *basic information common to two or more industries* is stored within a database" emphasis added.

In section 4 of the Final Office Action, it is incorrectely stated that the Applicant is merely claiming some industry specific data that needs to be stored in a relational database, and that the data itself is not a patentable subject matter and considered mere descriptive data. Applicant is not claiming industry specific data. Claims 1 through 5 of the present application are directed to a method for constructing a data warehouse, including the step of "selecting at least one shared subject area from a plurality of predefined shared subject areas for inclusion in a logical data model for said data warehouse, each one of said predefined shared subject areas comprising a plurality of entities and relationships defining the manner in which basic information common to two or more industries is stored within a database." These subject areas are database structures that define the choice of information and the organization of that information within a database; the choice of information and the organization of that information within the database having a direct impact on the usefulness of the database, the size of the database, and the efficiency in which data can be extracted from the database, e.g., the ability to execute queries and the execution time of those queries.

Claims 6 through 10 of the present application are directed to a warehouse system comprising: a relational database for holding information, said information being organized within said relational database in accordance with a logical data

model; said logical data model including a plurality of subject areas, each one of said subject areas including entities and relationships defining the manner in which subsets of said information is stored and organized within said data warehouse; and said plurality of subject areas including at least one shared subject area selected from a plurality of predefined shared subject areas, each one of said predefined shared subject area comprising a plurality of entities and relationships defining the manner in which basic information common to two or more industries is stored within a database. As with claims 1 through 5, Applicant is not claiming industry specific data in claims 6 through 10. Claims 6 through 10 recite a database system constructed with at least one shared subject area selected from a plurality of predefined shared subject areas. As stated earlier, these subject areas are database structures that define the choice of information and the organization of that information within a database; the choice of information and the organization of that information within the database having a direct impact on the usefulness of the database, the size of the database, and the efficiency in which data can be extracted from the database, e.g., the ability to execute queries and the execution time of those queries.

In section 9 of the Final Office Action, it is stated that any database text books which include entity-relationship diagrams and uses these diagrams to develop a database reads on the claimed subject matter. Applicant respectfully disagrees. The claims of the present application, as supported by the specification, recite a method and system for constructing a data warehouse, one step of the method being the selection of at least one shared subject area from a plurality of predefined shared subject areas for inclusion in a logical data model for said data warehouse. The recited shared subject areas are not equivalent to exemplary entity-relationship diagrams printed in a text book, and the method and system

recited in the claims of the present application are not equivalent to building a data warehouse from an entity-relationship diagram printed in a text book.

In view of the foregoing amendments and remarks, it is believed that the application including claims 1 through 10 is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,
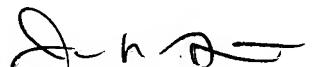
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(VIII) CLAIMS APPENDIX

1. (previously presented) A method for constructing a data warehouse for a customer within a specific industry, said method comprising the steps of:

selecting at least one shared subject area from a plurality of predefined shared subject areas for inclusion in a logical data model for said data warehouse, each one of said predefined shared subject areas comprising a plurality of entities and relationships defining the manner in which basic information common to two or more industries is stored within a database; and

populating said data warehouse with data in accordance with said logical data model.

2. (previously presented) The method for constructing a data warehouse for a customer within a specific industry in accordance with claim 1, said method further comprising the step of:

including industry specific entities and attributes add-ons to said selected shared subject area within said logical data model for said data warehouse.

3. (previously presented) The method for constructing a data warehouse for a customer within a specific industry in accordance with claim 1, said method further comprising the step of:

including an industry specific extension to said selected shared subject area within said logical data model for said data warehouse.

4. (previously presented) The method for constructing a data warehouse for a customer within a specific industry in accordance with claim 1, wherein said specific industry comprises one member of the group of industries comprising:

communications;

retail;

manufacturing;

financial services;

insurance;

e-business;

travel; and

transportation.

5. (previously presented) The method for constructing a data warehouse for a customer within a specific industry in accordance with claim 1, wherein said at least one shared subject area comprises at least one member of the group of predefined subject areas comprising:

an advertisement subject area defining the manner in which information about sales, promotions and advertising of interest to two or more industries is stored within a database;

a clickstream subject area defining the manner in which information concerning web visitors and visitor web activity of interest to two or more industries is stored within a database;

a financial management subject area defining the manner in which financial information of interest to two or more industries is stored within a database;

a location subject area defining the manner in which information concerning physical and virtual properties of interest to two or more industries is stored within a database;

a party subject area defining the manner in which information about any person, business, group, or association that is of business interest to two or more industries is stored within a database; and

a privacy subject area defining the manner in which information about privacy permissions from individuals, households and organizations of interest to two or more industries is stored within a database.

6. (previously presented) A data warehouse system for a customer within a specific industry, comprising:

a relational database for holding information, said information being organized within said relational database in accordance with a logical data model;

said logical data model including a plurality of subject areas, each one of said subject areas including entities and relationships defining the manner in which subsets of said information is stored and organized within said data warehouse; and

said plurality of subject areas including at least one shared subject area selected from a plurality of predefined shared subject areas, each one of said predefined shared subject area comprising a plurality of entities and relationships defining the manner in which basic information common to two or more industries is stored within a database.

7. (previously presented) The data warehouse system for a customer within a specific industry in accordance with claim 6, wherein:

said logical data model further includes industry specific entities and attributes add-ons included in said at least one shared subject area.

8. (previously presented) The data warehouse for a customer within a specific industry in accordance with claim 6, wherein:

said logical data model further includes an industry specific extension appended to said at least one shared subject area.

9. (previously presented) The data warehouse for a customer within a specific industry in accordance with claim 6, wherein said specific industry comprises one member of the group of industries comprising:

communications;

retail;

manufacturing;

financial services;

insurance;

e-business;

travel; and

transportation.

10. (previously presented) The data warehouse for a customer within a specific industry in accordance with claim 6, wherein said at least one shared subject area comprises at least one member of the group of predefined subject areas comprising:

an advertisement subject area defining the manner in which information about sales, promotions and advertising of interest to two or more industries is stored within a database;

a clickstream subject area defining the manner in which information concerning web visitors and visitor web activity of interest to two or more industries is stored within a database;

a financial management subject area defining the manner in which financial information of interest to two or more industries is stored within a database;

a location subject area defining the manner in which information concerning physical and virtual properties of interest to two or more industries is stored within a database;

a party subject area defining the manner in which information about any person, business, group, or association that is of business interest to two or more industries is stored within a database; and

a privacy subject area defining the manner in which information about privacy permissions from individuals, households and organizations of interest to two or more industries is stored within a database.

(IX) EVIDENCE APPENDIX

Not applicable

(X) RELATED PROCEEDINGS APPENDIX

Not applicable